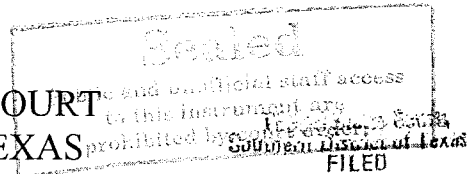


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION



OCT 17 2018

UNITED STATES OF AMERICA
Plaintiff

v.

JOSEPH A. ISAAC, and
ANNA MARIA SITES,
Defendants

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David J. Bradley, Clerk of Court

CRIMINAL NO. **18 CR 620**

Count 1 (Conspiracy,
18 U.S.C. §371)
Counts 2 – 8 (Mail
Fraud, 18 U.S.C §1341)
Notice of Forfeiture

Filed Under Seal

INDICTMENT

THE GRAND JURY CHARGES:

Count One
(Conspiracy, 18 U.S.C. § 371)

A. INTRODUCTION

AT ALL TIMES MATERIAL HEREIN:

1. **Joseph A. Isaac**, defendant herein, operated FulFill Plus, Inc. (“FulFill”) in Houston, Texas.
2. **Anna Maria Sites**, defendant herein, worked for FulFill.
3. Dr. Pepper Snapple Group, Inc. (“DPSG”) is located in Plano, Texas, and contracted with FulFill to administer various rebate advertising campaigns for DPSG products across the United States.

B. THE CONSPIRACY

4. From in or about June 2010, and continuing through in or about February 17, 2015, in the Houston Division of the Southern District of Texas and elsewhere,

JOSEPH A. ISAAC

and

ANNA MARIA SITES

defendants herein, did knowingly combine, conspire, confederate and agree with each other to commit the following offense against the United States:

To knowingly devise and intend to devise a scheme and artifice to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises and knowingly to use and cause to be used the United States mail and private and commercial interstate carriers for the purpose of executing the scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1341, including the concealment of material facts.

C. THE METHOD AND MEANS OF THE SCHEME AND ARTIFICE

5. The conspiracy consisted essentially of a plan by the defendants to obtain money from DPSG intended for individuals and/or businesses throughout the United States who responded to rebate offers from DPSG by falsely representing and

causing to be falsely represented that the defendants had sent or caused to be sent rebate payments to individuals and businesses who sent DPSC rebate claims to FulFill.

6. It was part of the conspiracy that the defendants would and did falsely represent and caused to be falsely represented to DPSG that FulFill had paid all who claimed DPSG rebates when defendants knew that FulFill had not.

7. It was part of the scheme and artifice that defendants would and did issue and cause to be issued DPSG rebate checks, which were mailed to individuals and/or businesses who repeatedly contacted FulFill requesting payment of the DPSG rebate.

8. It was part of the conspiracy that the defendants would and did send and cause to be sent to DPSG false reports to conceal the fact that money received by FulFill from DPSG to pay rebates was not used entirely for that purpose.

9. It was part of the conspiracy that the defendants would and did use and cause to be used for their own personal use and non-rebate related expenses of FulFill funds paid to FulFill by DPSG for the payment of rebates.

D. EXECUTION OF THE CONSPIRACY

10. On or about the dates set out below, in the Southern District of Texas, and elsewhere, defendants committed or caused to be committed the following overt

acts in furtherance of the conspiracy:

(1) On or about May 6, 2014, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$150.00 to Adams Ribs in Pueblo West, Colorado.

(2) On or about May 15, 2014, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$75.00 payable to Belly Busters in Bell, Florida.

(3) On or about June 6, 2014, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$150.00 payable to Burrito Bar in Portland, Oregon.

(4) On or about September 25, 2014, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$75.00 payable to Glacier Ice in Grand Junction, Colorado.

(5) On or about November 23, 2014, defendants sent and caused to be a sent an email to DPSG containing an invoice from FulFill to DPSG fraudulently showing the mailing of 108 rebate checks through November 30, 2014.

(6) On or about January 13, 2015, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$150.00 payable to Hibachi Grill and Buffet in Cincinnati, Ohio.

(7) On or about January 21, 2015, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$75.00 payable to White Lane Shell in Bakersfield, California.

(8) On or about January 21, 2015, defendants mailed and caused to be mailed through the United States Postal Service a FulFill check in the amount of \$150.00 payable to Rice King in Colleyville, Texas.

In violation of Title 18, United States Code, Section 371.

Counts Two through Eight
(Mail Fraud, 18 U.S.C. § 1341)

A. INTRODUCTION

AT ALL TIMES MATERIAL HEREIN:

1. The Grand Jury realleges and incorporates as if set out at length herein, each and every allegation set out in paragraphs 1, 2, and 3 of Count One.

B. THE SCHEME AND ARTIFICE

2. From in or about June 2010, and continuing through in or about February 17, 2015, in the Houston Division of the Southern District of Texas and elsewhere,

JOSEPH A. ISAAC

and

ANNA MARIA SITES

defendants herein, did knowingly execute and attempt to execute a scheme and artifice to defraud and to obtain moneys, funds and credits by means of material false and fraudulent pretenses, representations and promises, including the concealment of material facts.

C. THE METHOD AND MEANS OF THE SCHEME AND ARTIFICE

3. The scheme and artifice consisted essentially of a plan by defendants to obtain money from DPSG intended for individuals and businesses throughout the United States who responded to rebate offers from DPSG by falsely representing and causing to be falsely represented that the defendants had sent and caused to be sent rebate payments to all who sent DPSC rebate claims to FulFill.

4. It was part of the scheme and artifice that the defendants would and did falsely represent and caused to be falsely represented to DPSG that FulFill had paid all who claimed DPSG rebates when defendants knew that FulFill had not.

5. It was part of the scheme and artifice that defendants would and did issue and cause to be issued DPSG rebate checks, which were mailed to individuals and/or businesses who repeatedly contacted FulFill for payment of the DPSG rebate.

6. It was part of the scheme and artifice that the defendants would and did send and cause to be sent to DPSG false reports to conceal the fact that money

received by FulFill from DPSG to pay rebates was not used entirely for that purpose.

7. It was part of the scheme and artifice that the defendants would and did use and cause to be used for their own personal use and non-rebate related expenses of FulFill funds paid to FulFill by DPSG for the payment of rebates.

D. EXECUTION OF THE SCHEME AND ARTIFICE

8. On or about the dates set out in the counts below, in the Southern District of Texas, and elsewhere, defendants

JOSEPH A. ISAAC

and

ANNA MARIA SITES,

for the purposes of executing the aforesaid scheme and artifice to defraud and intending to do so, and for obtaining money by means of materially false and fraudulent pretenses, representations and promises, including the concealment of material facts, did knowingly send and deliver and caused to be sent and delivered through the United States Postal Service checks from FulFill, as set out and described in the counts below:

COUNT	DATE	FROM/TO	ITEM
Count Two	May 6, 2014	FulFill to Adams Ribs	FulFill check in the amount of \$150.00

Count Three	May 15, 2014	FulFill to Belly Busters	FulFill check in the amount of \$75.00
Count Four	June 6, 2014	FulFill to Burrito Bar	FulFill check in the amount of \$150.00
Count Five	September 25, 2014	FulFill to The Glacier Ice	FulFill check in the amount of \$75.00
Count Six	January 13, 2015	FulFill to Hibachi Grill & Buffet	FulFill check in the amount of \$150.00
Count Seven	January 21, 2015	FulFill to White Lane Shell	FulFill check in the amount of \$75.00
Count Eight	January 21, 2015	FulFill to Rice King	FulFill check in the amount of \$150.00

In violation of Title 18, United States Code, Sections 1341 and 2.

NOTICE OF FORFEITURE

(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

Pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), the United States gives notice to defendants

JOSEPH A. ISAAC

and

ANNA MARIA SITES

that upon conviction for conspiracy to commit mail fraud in violation of Title 18, United States Code, Section 371, as charged in Count 1, and mail fraud, in violation of Title 18, United States Code, Section 1341, as charged in Counts 2 through 8, all property which constitutes or is derived from proceeds traceable to such violations shall be forfeited to the United States.

Money Judgment and Substitute Assets

The United States will seek the imposition of a money judgment against each defendant. In the event a condition listed in Title 18, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of each

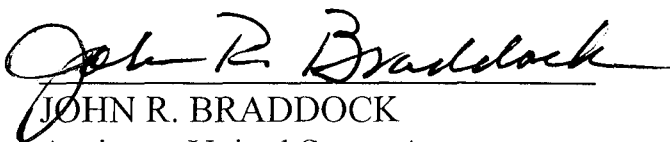
defendant up to the amount of the money judgment.

A TRUE BILL:


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Original Signature on File

RYAN K. PATRICK
United States Attorney

By: 
JOHN R. BRADDOCK
Assistant United States Attorney